

20777. Adulteration and misbranding of canned salmon. U. S. v. 103 Cases of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29753. Sample nos. 26264-A, 33196-A.)

This case involved a quantity of canned salmon that was in part decomposed. The article was falsely branded as to the name of the packer and the place of manufacture.

On January 14, 1933, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 103 cases of canned salmon at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about September 11, 1932, by P. E. Harris & Co., from Seattle, Wash., to New Orleans, La., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Belleanna Brand Alaska Fancy Pink Salmon Packed and Guaranteed by New England Fish Company, Seattle, Washington."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

Misbranding was alleged for the reason that the statement on the label, "Packed * * * by New England Fish Company, Seattle, Washington", was false and misleading and deceived and misled the purchaser, since it was packed by the Standard Packing Co., Shepard Point, Alaska.

On February 26, 1933, the Standard Packing Co., a corporation of the State of Washington, having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20778. Adulteration of dried grapes. U. S. v. 100 Cases of Dried Grapes. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29847. Sample no. 22664-A.)

This case involved a quantity of dried grapes that were found to be insect-infested and dirty.

On February 14, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 100 cases of dried grapes at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 4, 1933, by the National Grocery Co., from San Francisco, Calif., to Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Federal Brand Dried Alicante Black Grapes Packed By Federal Fruit Distributors, Fresno, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On March 20, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20779. Adulteration and misbranding of frozen strawberries. U. S. v. 125 Cans of Frozen Strawberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29843. Sample no. 24322-A.)

This case involved an interstate shipment of frozen strawberries that were in part moldy. The containers failed to bear a statement of the quantity of the contents as required by law.

On February 10, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 125 cans of frozen strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 23, 1932, by S. A. Moffett Co., from Seattle, Wash., to Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

Misbranding of the article was alleged for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 28, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20780. Adulteration of canned salmon. U. S. v. 142 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond for separation and destruction of decomposed portions. (F. & D. no. 29797. Sample no. 28085-A.)

This case involved an interstate shipment of canned salmon that was found to be in part decomposed.

On February 13, 1933, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 142 cases of canned salmon at Pueblo, Colo., consigned by Libby, McNeill & Libby, Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 6, 1932, from Seattle, Wash., to Pueblo, Colo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Happy-Vale Brand * * * Pink Salmon."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On March 20, 1933, the Copper River Packing Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the decomposed portion be segregated and destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20781. Adulteration of noodles. U. S. v. 10 Boxes of Noodles. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29813. Sample no. 27946-A.)

This case involved an interstate shipment of noodles that contained no egg and were artificially colored to simulate egg noodles.

On February 6, 1933, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 10 boxes of noodles at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about January 23, 1933, by the Republic Noodle Factory, from San Francisco, Calif., to Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Red Triangle Brand Chinese Noodles * * * Plain Republic Noodle Factory, San Francisco, California."

It was alleged in the libel that the article was adulterated in that it was colored in a manner whereby inferiority was concealed.

On March 27, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20782. Misbranding of lemon flavor and vanilla extract. U. S. v. 7 Cases of Lemon Flavor and 20 Cases of Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 29786, 29787. Sample nos. 30843-A, 30844-A.)

This case involved an interstate shipment of imitation lemon flavor and imitation vanilla extract, sample bottles of which were found to contain less than the declared volume.

On February 3, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 7 cases of lemon flavor and 20 cases of vanilla extract at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about January 21, 1933, by the General Sales Co., from San Francisco, Calif., to Seattle, Wash., and charging misbranding in violation of the Food and